

REMARKS**Status of Claims**

The Office Action mailed February 16, 2005 has been reviewed and the comments of the Patent and Trademark Office have been considered. Claims 18-28 were pending in the application. Claims 18, 20, 22, 24, and 26-28 have been amended and no claims have been canceled or newly added. Therefore, claims 18-28 are pending in the application and are submitted for reconsideration.

This Amendment changes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, are presented, with an appropriate defined status identifier.

Claim Objections

Claim 27 is objected to for minor informalities. Applicants have amended claim 27 to correct the informality noted by the examiner. Applicants thank the examiner for indicating that claim 27 contains allowable subject matter. Accordingly, applicants submit that claim 27 is now in condition for allowance in accordance with the indication in the office action.

In paragraph 3, the office action incorrectly objects to the labels used in the claims in the submission accompanying the RCE. The office action states that the claims presented after final amendment were never entered. However, entry of these amendments were expressly requested in the RCE transmittal (see 1.a. of the RCE transmittal) and the Submission under 37 C.F.R. 114 (c) clearly stated that it was supplemental to these amendments (see page 1 of the Submission). Therefore, these labels are believed to be correct and is consistent with RCE practice. If the examiner still has any questions regarding this issue, the examiner is respectfully requested to call the undersigned attorney or check with his supervisor at the PTO.

Prior Art Rejections

In the Office Action, claims 18 and 19 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. patent 5,745,593 (Wahawisan) in view of U.S. patent 5,544,256 (Brecher). Claims 20-26 and 28 are rejected under 35 U.S.C. § 103(a) as being unpatentable

over Wahawisan in view of U.S. patent 6,324,298 (O'Dell). Applicant respectfully traverses these rejections for at least the following reasons.

Each of the rejected independent claims 18, 20, 22, 24, 26, and 28 recite, *inter alia*, that an operation guiding means automatically selects an inspection program from among a plurality of inspection programs based on the type of inspection input by a user. At least this recited feature is not disclosed or suggested by any of the applied references.

For example, Wahawisan simply discloses an inspection system for one type of inspection (burr inspection). Wahawisan then discloses input of parameters for that one type of inspection but nowhere does Wahawisan teach automatically selecting an inspection program from among a plurality of inspection programs based on the type of inspection program input by a user. This deficiency of Wahawisan is not cured by any of the other applied references.

Specifically, Brecher teaches that the user chooses the set of suitable measurements according to the defect classification needs. See col. 10, lines 35-42 of Brecher. That is, Brecher teaches the opposite of the claimed *automatic selection* of the inspection program, among a plurality of inspection programs, based on an input type provided by a user since it teaches that user chooses the set of suitable measurements.

Likewise, O'Dell teaches that the recipe creation process allows a user to create an unlimited number of inspection recipes to allow a user to "customize the inspection process." See, for example, col. 15, lines 35-40 of O'Dell. That is, O'Dell also teaches away from the claimed *automatic selection* of the inspection program, among a plurality of inspection programs, based on an input type provided by a user since it teaches a user customizing the inspection process and no automatic selection is taught.

Therefore, at least this recited feature in each of the currently rejected independent claims is not disclosed or suggested by the applied prior art. Furthermore, Brecher and O'Dell references actually teach away from this claimed feature. Accordingly, the pending independent claims are patentable over the applied prior art. In this context, it should be noted that the specifically recited features in the claims must be clearly shown in the applied prior art. Mere silence in a reference does not meet the PTO's burden of the prior art disclosing specifically recited features.

The dependent claims are also patentable for at least the same reasons as the respective independent claims on which they depend. In addition, they recite additional patentable features when considered as a whole.

In view of the foregoing amendments and remarks, applicant submits that the application is now in condition for allowance. If there are any questions regarding the application, or if an examiner's amendment would facilitate the allowance of one or more of the claims, the examiner is courteously invited to contact the undersigned attorney at the local telephone number below.

Should additional fees be necessary in connection with the filing of this paper, or if a petition for extension of time is required for timely acceptance of same, the Commissioner is hereby authorized to charge deposit account No. 19-0741 for any such fees; and applicant hereby petitions for any needed extension of time.

Respectfully submitted,

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